

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 14-00115-01-CR-W-DW
)	
ELEUTERIO MURILLO-SALGADO,)	
)	
Defendant.)	

ORDER

Before the Court is Magistrate Judge John T. Maughmer’s Report and Recommendation (Doc. 37) regarding Defendant’s Motion to Suppress Evidence and Statement (Doc. 27).

Defendant has filed Objections (Doc. 40) to the proposed findings and recommendation.

After an independent review of the record and the applicable law, the Court sustains Defendant’s objection¹ to the proposed conclusion of law that “[a]lthough there was limited evidence that Arredondo acted as ‘helper’ to Salgado, there is no evidence in the record that **Salgado** had joint access or mutual use of the compressor.” (Doc. 37 at *14). Per proposed finding of fact no. 31, Arredondo stated to Sgt. Allen that he owned his two bags of clothes and owned the wire jointly with Salgado, but that he did not own anything else in the truck and that everything else in the truck was owned by Salgado. (Doc. 37 at *4-5). Consequently, the Court determines that the proposed conclusion of law contains a typographical error and should read “there is no evidence in the record that **Arredondo** had joint access or mutual use of the compressor.” In all other respects, however, the Court agrees with Judge Maughmer’s findings of fact and conclusions of law and accepts his recommendation.

¹ See Doc. 40 at *2-3.

Accordingly, IT IS ORDERED that:

1. The Report and Recommendation (Doc. 37) is adopted and shall be attached to and made a part of this Order; and
2. Defendant's Motion to Suppress Evidence and Statement (Doc. 27) is DENIED.

SO ORDERED.

Date: October 8, 2015

/s/ Dean Whipple
Dean Whipple
United States District Judge